

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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FIRST ACT INC.,  
Plaintiff

v.

KIDZ TOYZ, INC. and  
CHRISTMAS TREE SHOPS, INC.,  
Defendants

Civil Action No. 03-12507-EFH

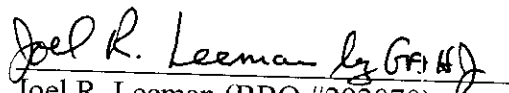
**STIPULATION TO ENLARGE PERIOD FOR DEFENDANT  
CHRISTMAS TREE SHOPS, INC. TO OPPOSE MOTION FOR  
PRELIMINARY INJUNCTION AND TO ANSWER COMPLAINT**

Plaintiff, FIRST ACT INC., and Defendant, CHRISTMAS TREE SHOPS, INC., (the "Stipulating Parties") hereby stipulate to enlarge the period for Defendant, CHRISTMAS TREE SHOPS, INC., to oppose the Motion for Preliminary Injunction and to answer the Complaint (served on or about December 16, 2003), through and including **Friday, February 6, 2004**.

In support of this Stipulation, the Stipulating Parties state that they are attempting to negotiate a resolution to this dispute. The Stipulating Parties respectfully request the Court's approval of this Stipulation.

FIRST ACT INC.

By its attorneys,



Joel R. Leeman (BBO #292070)  
Erik Paul Belt (BBO #558620)  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
Telephone: (617) 443-9292

Dated: January 23, 2004

CHRISTMAS TREE SHOPS, INC.

By its attorney,



G. Arthur Hyland, Jr. (BBO #545488)  
MURPHY AND MURPHY  
243 South Street, P.O. Box M  
Hyannis, MA 02601  
Telephone: (508) 775-3116

Having reviewed the above Stipulation, IT IS SO ORDERED.

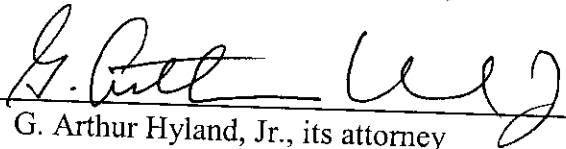
Dated: \_\_\_\_\_

\_\_\_\_\_  
Harrington, J.  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the Stipulation to Enlarge Period for Defendant, CHRISTMAS TREE SHOPS, INC., to Oppose Motion for Preliminary Injunction and to Answer Complaint via U.S. Mail, postage prepaid to: Joel R. Leeman, Esq., BROMBERG & SUNSTEIN LLP, 125 Summer Street, Boston, MA 02110-1618; and Jason C. Kravitz, Esq., NIXON PEABODY, LLP, 101 Federal Street, Boston, MA 02110, this 23<sup>rd</sup> day of January, 2004.

Respectfully submitted,  
DEFENDANT, CHRISTMAS TREE SHOPS, INC.

By:   
G. Arthur Hyland, Jr., its attorney  
MURPHY AND MURPHY  
243 South Street, Box M  
Hyannis, MA 02601  
508-775-3116  
BBO #545488